

Docket No.: 050060-0042



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Andrew Kevin MCPARLAND	:	Confirmation Number: 8376
Application No.: 09/770,296	:	Group Art Unit: 2654
Filed: January 29, 2001	:	Examiner: David D. Knepper
For: METHOD FOR INSERTING AUXILIARY DATA IN AN AUDIO DATA STREAM	:	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendkment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) issued July 29, 2005, submitted herewith are: (1) a marked-up version of a Substitute Specification, together with annotated sheets of drawing amendments; and (2) a clean version of a Substitute Specification, together with Replacement Sheets of drawings. It is noted that a current proper status identifier for each claim is provided in the clean version of Substitute Specification.

The marked-up and clean versions of the Substitute Specification take into account the original application as filed January 29, 2001 (having "SUBSTITUTE SHEET (Rule 26)" thereon, the Preliminary Amendment as filed January 29, 2001 (including the "Amended Sheets" provided therewith), the Abstract submitted June 18, 2001 and the Amendment filed January 19, 2005.

Application No.: 09/770,296

Accordingly, it is believed that the above satisfies the requirements of the Notice and provides a complete and compliant response to the Office Action dated October 19, 2004.

Entry of the above and consideration on the merits in due course are respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Stephen A. Becker
Registration No. 26,527

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 SAB:cms
Facsimile: 202.756.8087
Date: August 29, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**